Dear Jerry (Gary), 4/19/71

Lil is celebrating here first official day of unemployment with one of her sicker sick headaches and is taking a nap. I did an hour's hard work outside first, for I'm hoping for some calls, so until she awakens and I recover and can go out and transplant some daylilies, let me update you.

After writing Flo this a.m., I phoned the U.S.Attorney in Baltimore and they protest they still want to work out an out-of-court settlement. Their limp explanation for two years of silence with three assistants under two USATTys is that they have been busy. Once I asked "Busier than if I force this to trial", he cut out the shit and we have a date to meet in the a.m., for him to accept and make out a receipt of what I've had ready for him for so long, and then I have a couple of shows to do there. Perhaps I'll know more of what is expected of me or what I shall have to do in my own interest, whichever turns out to be proper, after this meeting and before the end of the month. I ll keep you posted.

David phoned this a m. Apparently my letters have shaken them up a bit. He apologized for the delays with the money (I didn't point out the arrogrance of H's letter on this and its cavalier attitude), claiming they are temporarily (I hope!) pressed. I immediately offered this compromise: that when they had it they'd pay promptly and if I face any emergencies they'll cough up promptly. He said the expenses had been "misfiled" (that's a new one, after all my complaints), said he'd pay the nominal ones I'd have, and finally came to understand that while he was accomplishing nothing he was also keeping me from trying between paranoia about crossing wires and silence about what he was attempting.

He has been trying so hard he doesn't even remember the names of the people he has been dealing with. Today is nix, allegedly based on a reading of the book by the man assigned to report the hearing. That is bull. Today would have said no under any circumstances. Can he be this naive? Cavett, one of two people is a Betty Bash (sho), whose name he can't begin to spell, and a man whose name he doesn't know. Some close dealings, huh? Griffin, they are trying to put something together, that is, the staff is. He claims that Griffin says it is not good show material, in the sense of showmanship. But he also says the staff favors it. When I pressed him, it finally came out that G is close to Percy Foreflusher. Abd oh, yes, he will sign their copy of the contract, stat it and sen send me a copy, of their form, changed, and the addendum I added. If he has to sign it now, is it easy to believe he every signed any one to send me?

And above all, he suddenly realizes they need a news treatment. Now. Not before. This is so far out I wonder hoe he gets to work in the a.m. Foreman, of course, was no story. Hoover and Kleindienst, with how they've been in the news, no story in the book, either. Press conference? No reason to believe anyone would cover. I patiently explained that the first requirement is a professional (I think he got the point) release, then the promise of legit news, and then the promise of copies of the documents. And on these? They don't have themback yet. I insisted an xeroxes promptly, and asked him how the hell I was supposed to be showing copies to people to elicit interest when they had been sitting on them since the first of th year or earlier. And I noted, to his silence, the cost of not including all that DJ correspondence in the book when it was sent with that in mind and it worked out to 70 pages less than the estimate. To say they are inprofessional is a kindness. I also asked if it were not better to try and fail than to drop dead, and I guess that finally penetrated, so, lacking any other peg he can think of (of course, an immediate press conference on the Kleindienst stuff alone, that oracle of "irresponsibility" by those who say only the truth, never occurred to him, and because

I can't go to NYC now and I doubt he'd go for one in DC, I didn't suggest it. Besides, this gives me a certain degree of flexibility and autonomy, and may make it possible to do something, even though the time was when K was in the news on this, not too late. He has never learned what news is. So, I tried patiently to explain the difference between going to the papers while Foreman was actually fleeing, so he could be met by a possible enterprising reporter as he alighted, and two weeks after it happened.

I wish I could think I got through. I really do think that two things account for this: his not having levelled with Harris from the beginning and Harris now finding all this to be new, and their desparation, now that everything he has tried, without exception, has failed. He actually came around to agreeing that when I am again in NYC and on the air, I'm going to say that there is a conscious media effort to playdown or suppress, and I explained how I did this with WW. He doesn't dispute it to be the truth. I'll also say that, if you-all agree, at the conference, and out it in the context of the press making all these terrible things possible by its awful crime of silence-except on crooked dog-catchers. I'l cite Berkham, which may jiggle the syndicate a bit, ask if the government has to pay agents when they have this kind for free, etc. Whatever we agree to do or not to do, David has come to understand what he claimed to understand what I told him at the first, that the media is, was and will be uptight about any aspect of this subject and the only way to overcome it is to try and, if necessary, to fight. I told him that if we ask for time on those shows that have had Clark and Foreman on this, each insisting on his own version, and they refuse to air me, we go to the FCC, and try and make news that way. Wish I thought the ACLU would get interested, for that is the fairness doctrine. If that is carried, it could get more attention than the air time. But one doesn't know unless one tries, and that, perhaps, he now has finally come to see.

It was, of course, very depressing. When he expressed a lack of confidence in what you plan, I asked him why he refused to do it on his own, especially on publication of the book, the standard time, and if he had any alternative now. He hasn't, so he is for it. I also told him you are busy, between work and school, and if he doesn't hear from you in a couple of days, he might consult you on this. The real problem is that we do not know what will happen in two weeks, so having the stuff on Kleindienst may not be as newsworthy then as it was last week and the week before and could be today, so what we should have to give the press is still open. But there should be something and I think there willbe. However, getting it ready may call for my being there a bit in advance, perhaps over the weekend. As of now, this is no problem.

Sincerely,